

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEVIN LAMAR FRAZIER, No. 2:05-cv-0774-MCE-JFM-P  
Plaintiff,

v. ORDER

SPENCER ROWELL, et al.,  
Defendants.

On May 18, 2006, the Magistrate Judge issued an order denying plaintiff's motion for default judgment against defendant Spencer Rowell. On June 19, 2006, plaintiff filed a document styled "Motion to Object." The court construes this document as a request for reconsideration of the May 18, 2006 order. On June 23, 2006, defendant Rowell filed an opposition to plaintiff's motion, and on July 20, 2006, plaintiff filed a reply.

Pursuant to E.D. Local Rule 72-303(f), a magistrate judge's orders shall be upheld unless "clearly erroneous or contrary to law." Upon review of the entire file, the court finds that the magistrate judge's ruling was correct.<sup>1</sup>

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<sup>1</sup> Local Rule 72-303(b), states "rulings by Magistrate Judges shall be final if no reconsideration thereof is sought from the Court within ten court days . . . from the date of

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's June 19, 2006 motion to object is construed as a request for reconsideration of the magistrate judge's May 18, 2006 order; and
  1. Upon reconsideration, said order is affirmed.

DATED: November 8, 2006

  
MORRISON C. ENGLAND, JR.

MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE

service of the ruling on the parties.” E.D. Local Rule 72-303(b). Plaintiff’s request for reconsideration of the magistrate judge’s order of May 18, 2006 is untimely and could be denied for that reason. The court has, however, reviewed plaintiff’s request on the merits.